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12 BAYER HEALTHCARE LLC

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19 Attorneys for Plaintiff  
20 NANCY PINOLI

21  
22 UNITED STATES DISTRICT COURT  
23  
24 NORTHERN DISTRICT OF CALIFORNIA

25 NANCY PINOLI,

26 Plaintiffs,

27 vs.

28 BAYER CORPORATION, BAYER  
HEALTHCARE, LLC, and DOES 1-30,  
inclusive,

Defendants.

Case No. C06 07253 PJH

**STIPULATION AND [PROPOSED] ORDER  
SELECTING ADR PROCESS**

Complaint Filed: October 27, 2006

22 Counsel report that they have met and conferred regarding ADR and have reached the following  
23 stipulation pursuant to Civil L.R. 16-8 and ADR L.R. 3-5:

24 The parties agree to participate in the following ADR process:

25 **Court Processes:**

26  Non-binding Arbitration (ADR L.R. 4)

27  Early Neutral Evaluation (ENE) (ADR L.R. 5)

1                    Mediation (ADR L.R. 6)

2                   *(Note: Parties who believe that an early settlement conference with a Magistrate Judge is  
3                   appreciably more likely to meet their needs than any other form of ADR, must participate in an  
4                   ADR phone conference and may not file this form. They must instead file a Notice of Need for  
5                   ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

6                   **Private Process:**

7                    Private ADR (please identify process and provider) \_\_\_\_\_

8                   The parties agree to hold the ADR session by:

9                    the presumptive deadline (*The deadline is 90 days from the date of the order referring  
10                   the case to an ADR process unless otherwise ordered.*)

11                    other requested deadline:

12                   Dated: February 16, 2007

MORGAN, LEWIS & BOCKIUS, LLP

13                   By: Melinda Riechert  
14                   Melinda Riechert

15                   Attorney for Defendants  
16                   BAYER CORPORATION AND  
17                   BAYER HEALTHCARE, LLC

18                   Dated: February \_\_\_, 2007

LAW OFFICE OF MICHAEL WORTHINGTON

19                   By: \_\_\_\_\_  
20                   Michael Worthington

21                   Attorneys for Plaintiff  
22                   NANCY PINOLI

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Feb-16-07 5:01PM;

Page 2/3

1                    Mediation (ADR L.R. 6)

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4                   *ADR phone conference and may not file this form. They must instead file a Notice of Need for*  
5                   *ADR Phone Conference. See Civil Local Rule 16-8 and ADR L.R. 3-5)*

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10                   *the case to an ADR process unless otherwise ordered. )*

11                    other requested deadline:

12

13                   Dated: February 16, 2007

MORGAN, LEWIS & BOCKIUS, LLP

14                   By: Melinda Riechert  
15                   Melinda Riechert

16                   Attorney for Defendants  
17                   BAYER CORPORATION AND  
18                   BAYER HEALTHCARE, LLC

19

20                   Dated: February 16, 2007

LAW OFFICE OF MICHAEL WORTHINGTON

21                   By: Michael Worthington  
22                   Michael Worthington

23                   Attorneys for Plaintiff  
24                   NANCY PINOLI

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**[PROPOSED] ORDER**

Pursuant to the Stipulation above, the captioned matter is hereby referred to:

- Non-binding Arbitration
- Early Neutral Evaluation (ENE)
- Mediation
- Private ADR

### Deadline for ADR session

90 days from the date of this order.

IT IS SO ORDERED.

Dated: 2/21/07

